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4 UNITED STATES DISTRICT COURT  
5 WESTERN DISTRICT OF WASHINGTON  
6 AT SEATTLE

7 EKO BRANDS, INC.,

8 Plaintiff,

9 v.

10 ADRIAN RIVERA MAYNEZ  
11 ENTERPRISES, INC., and ADRIAN RIVERA,

12 Defendants.

Case No. C15-522RSL

ORDER DENYING DEFENDANTS'  
MOTION FOR RECONSIDERATION

13 This matter comes before the Court on defendants' "Motion for Reconsideration." Dkt.  
14 # 162. On November 14, 2017, the Court rejected defendants' contention that, because its  
15 products do not include the single serve beverage brewer described in the introductory paragraph  
16 to claim 8 of the '855 patent, they cannot infringe. Defendants argue that this finding constitutes  
17 manifest error and should be reconsidered under LCR 7(h)(1). While it is undoubtedly true that  
18 the description of the brewer with which plaintiff's invention is intended to be used adds clarity  
19 to the description of the invention, it does not define the invention. The fact that defendants'  
20 products do not include a single server beverage brewer does not prevent a finding that  
21 defendants infringed the '855 patent. The motion for reconsideration is DENIED.  
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23 Dated this 4th day of December, 2017.

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25 Robert S. Lasnik

26 United States District Judge